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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/783,747	02/15/2001	William R. Blair	3660P035	2174

7590 01/11/2007
Lester J. Vincent
Blakely, Sokoloff, Taylor, & Zafman LLP
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Los Angeles, CA 90025

EXAMINER

KESACK, DANIEL

ART UNIT	PAPER NUMBER
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3691

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/11/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 09/783,747	Applicant(s) BLAIR, WILLIAM R.	
	Examiner Dan Kesack	Art Unit 3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 and 22-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20, 22-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-20, 22-24 are currently pending.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/19/2006 has been entered.

Response to Arguments

3. Applicant's arguments with respect to claims 1-20, 22-24 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. Claims 1-5, 10, 14, 15, and 17-20, 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shkedy, U.S. Patent No. 6,260,024, in view of Chinnappan U.S. Patent Application Publication No. 2002/011187, and further in view of Riordan, U.S. Patent No. 6,078,891.

7. Claims 1-5, 10, 14, 15, 19, 20, 22-24, Shkedy discloses systems and methods for accepting purchase requirements for goods or services from buyers, said purchase requirement specifying the item required, the quantity required, requirement expiration date, along with other specified conditions, (column 5 lines 10-15) and aggregating individual purchase requirements into single pooled purchase requirements, making these pooled purchase requirement detail documents available to potential sellers via a

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website on the internet, and accepting bids from potential sellers to fulfill said pooled purchase requirements by supplying required goods or services (column 6, lines 3-7 and 15-20). Shkedy teaches a seller-bidding database which stores all information pertinent to a given transaction, and which is used to complete the transaction after an auction is complete (Column 10, lines 11-25).

Shkedy fails to teach generating a generic specification for requested goods, wherein for each group of functionally equivalent components, there is one unique number and a plurality of supplier generated numbers.

Riordan teaches a hierarchical numbering directory which assigns numbers based on the product class, and specific product properties, the result of which is a globally unique identifier (column 8 lines 17-61). It would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Shkedy to include the teachings of Riordan because Chinnappan teaches using a globally unique identifier, which a buyer may use to identify a product and to request information or additional transactions from the source of the product (paragraph 10). Chinnappan further teaches that such a hierarchical method may be used for the cataloging of products by sellers and the matching of a buyer's demands to one or more products of one or more sellers (paragraph 23 lines 8-10), such as is performed according to the teachings of Shkedy.

Claims 17 and 18, Shkedy teaches at the close of an auction, the processing of invoices, storage, and delivery of goods is conducted by the supplier of said goods.

8. Claims 6-9, 11-13, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shkedy in view of Riordan and Chinnappan.

Claims 6-9, 11-13, Shkedy, Chinnappan, and Riordan fail to teach a tool for adding and deleting columns of buyer and supplier information, for calculating values of properties in supplier specific columns, for creating rows to represent properties for supplier independent information, creating rows that represent product properties for supplier specific information, choosing information from drop down menus, calculating the values of a tolerance column based on corresponding buyer-specific properties, determining whether values are within an acceptable tolerance for given properties, and highlighting factors which are outside said acceptable tolerances.

As cited in a previous Office Action (6/19/06, p.4), Examiner has considered as admitted prior art that spreadsheet capabilities such as creating, adding, and deleting rows and columns, calculating values based on row and column values, and the use of drop down menus is old and well known in the art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to include spreadsheet capabilities and drop down menus in the claimed invention to organize and process products and orders, as said capabilities simplify use and automate routinely performed functions within the system.

Claim 16, Shkedy, Riordan, and Chinnappan fail to teach setting the price of a winning supplier as the new price of the functionally equivalent component. As cited in a previous Office Action (6/19/06, p.4), Examiner has considered as admitted prior art

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that basing the new price on previously received bids in an auction is old and well known in the art. It would have been obvious to one of ordinary skill in the art at the time of the invention to adjust the current price to match the most recent purchase price, so as to keep prices current and up-to-date.

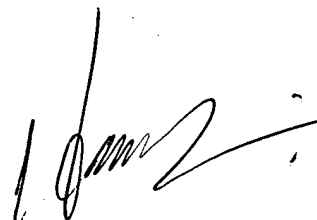
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dan Kesack whose telephone number is 571-272-5882. The examiner can normally be reached on M-F, 9:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on 571-272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



HANI M. KAZIMI
PRIMARY EXAMINER